

**ENTERED**

June 14, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

BAYOU CITY WATERKEEPER, §  
§  
VS. § CIVIL ACTION NO. 3:20-CV-00255  
§  
U.S. ARMY CORPS OF ENGINEERS. §

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**


All pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison. *See* Dkt. 21. On May 27, 2021, Judge Edison filed a memorandum and recommendation (Dkt. 25) recommending that the United States' Motion to Dismiss (Dkt. 14) be denied.

No objections have been filed to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) Judge Edison's memorandum and recommendation (Dkt. 25) is approved and adopted in its entirety as the holding of the court; and
- (2) the United States' Motion to Dismiss (Dkt. 14) is denied.

Signed on Galveston Island this 14<sup>th</sup> day of June 2021.

  
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JEFFREY VINCENT BROWN  
UNITED STATES DISTRICT JUDGE